

Kirtis Ranesbottom

Boudjerada v City of Eugene

September 15, 2021



CC REPORTING AND VIDEOCONFERENCING
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

HASHEEM BOUDJERADA; DAMON) No. 6:20-cv-1265-MK
COCHRAN-SALINAS; ERIN GRADY;)
TYLER HENDRY; and KIRTIS)
RANESBOTTOM,)
Plaintiffs,)
v.)
CITY OF EUGENE; SARAH MEDARY;)
WILLIAM SOLESBEE; SAMUEL STOTTS;))
BO RANKIN; TRAVIS PALKI; MICHAEL)
CASEY; ANTHONY VIOTTO; and RYAN)
UNDERWOOD,)
Defendants.)

DEPOSITION OF KIRTIS RANESBOTTOM

September 15, 2021

Wednesday

10:00 A.M.

THE DEPOSITION OF KIRTIS RANESBOTTOM was
taken at Ironwood, Michigan, before Eleanor Knapp,
RPR-CSR, Certified Shorthand Reporter in and for the
State of Oregon, by videoconference.

APPEARANCES

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(Appearing by videoconference.)

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BY: MR. BEN MILLER

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Also Present: Ms. Jamie Iboa

Court Reporter: Ms. Eleanor Knapp, RPR-CSR

Video Technician: Ms. Nicole Ash

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VIDEO TECHNICIAN: We are on the record. Today is September 15th, 2021. The time is 10:00 a.m. This is the video-recorded deposition of Kirtis Ranesbottom in the matter of Boudjerada vs. City of Eugene. Our court reporter is Eleanor Knapp. My name is Nicole Ash. I'm CC Reporting's remote video technician.

Would you please swear in the witness.

KIRTIS RANESBOTTOM,
having been first duly sworn to testify the truth, the whole truth, and nothing but the truth, was examined and testified as follows:

EXAMINATION

BY MR. MILLER:

Q. Good morning. I'm Ben Miller. I'm one of the attorneys for the City of Eugene. We are conducting this deposition remotely, so if at any time you have an interruption or you don't hear me, let us know. Okay?

A. Yes. Thank you.

Q. Would you state your name and provide the spelling to the court reporter for us?

A. Okay. The spelling of my full name,

1 middle included?

2 Q. Sure.

3 A. Okay. Kirtis Michael Edward Raneshbottom.

4 That's K-I-R-T-I-S. Michael is M-I-C-H-A-E-L;

5 Edward, E-D-W-A-R-D; Raneshbottom,

6 R-A-N-E-S-B-O-T-T-O-M.

7 Q. Thank you. So you've been put under oath,
8 and that's the same oath you would be put under if
9 you testify in court. Do you understand that?

10 A. Yes.

11 Q. All right. And I'm going to go through --
12 I'm sure your attorney has spoken to you about some
13 of the rules for a deposition. I'll go through a
14 couple of those generally.

15 The first is that we just need to answer
16 audibly because nods of the head and huh-uhs aren't
17 going to show up on a transcript. Does that make
18 sense?

19 A. Uh-huh. Yes.

20 Q. And you're doing a really good job, but we
21 need to be careful not to talk over each other so
22 it's clear where a question ends and an answer
23 begins. And I'll try to do that. Is that fair?

24 A. Yes.

25 Q. The -- there's -- you know there's a video

1 that's being taken of this deposition.

2 Sorry. Can you hear us?

3 A. I'm sorry. Are you hearing all of these
4 notifications?

5 Q. Yes.

6 A. Sorry about that. I'll turn the volume
7 down. Is that better?

8 Q. Yes. Somewhat.

9 A. Hopefully they'll stop.

10 Q. So this is being video-recorded, and then
11 there's a written transcript that's being created
12 from this deposition. Do you understand that?

13 A. Yes.

14 Q. And so for that reason, you know, if you
15 don't understand one of my questions or you need
16 clarification, let me know and I'll try to ask it in
17 a way that you can either answer or you can tell me
18 you don't know. Is that fair?

19 A. Yes.

20 Q. Because I can use the deposition in a
21 couple of ways. I can use it as direct evidence
22 rather than calling you as a witness. Do you
23 understand that?

24 A. Yes.

25 Q. And if you testify differently at a later

1 time, I can point out what I think is an
2 inconsistency to a judge or a jury and ask them to
3 disbelieve. Do you understand that?

4 A. Yes.

5 Q. It's also not an interrogation. I know
6 you are remote, but if you need to take a break to
7 use the restroom, get some water, things like that,
8 that's okay.

9 A. All right.

10 Q. So just let us know.

11 Anything that would interfere with your
12 ability to participate in the deposition today?

13 A. No.

14 Q. All right. So just as an example, are you
15 on any medication that could impact your memory?

16 A. No.

17 Q. All right. Without telling me what you
18 discussed with your attorney, what did you do to
19 prepare for your deposition today?

20 A. I went over the documents that were shared
21 with the court, and that's it.

22 Q. When you say documents shared by the
23 court, I just -- for my benefit -- since we are
24 remote, I just want to understand what those were.
25 Were those -- did those include your interrogatory

1 responses?

2 A. Could you define "interrogatory"?

3 Q. Sure. So it's a -- it's a written
4 document where we send written questions and you and
5 your attorney send back written answers.

6 A. Okay. I think I have those documents but
7 did not review them recently. But I did review them
8 when they were first -- when we first answered those
9 questions, I reviewed them.

10 The documents that I reviewed today before
11 the deposition were the documents that we shared
12 with the court, including some of my social media
13 stuff that I shared on Facebook and pictures of the
14 rubber bullets and some of the damage that was done
15 to the property, the Campbell Club.

16 Q. Okay. And did you review a copy of your
17 -- the amended complaint, the actual lawsuit in this
18 case?

19 A. I believe I did. I didn't review all of
20 the documents today. I didn't quite get to all of
21 them, but I believe those were sent to me.

22 Q. Yeah. Don't tell your attorney that.

23 But did you review any recordings or any
24 video?

25 A. No.

1 Q. And we're remote. Is anybody else with
2 you in the room?

3 A. Not in the room, no. There are two people
4 kind of around in other rooms nearby. That's my
5 father and his friend.

6 Q. But they don't have any personal knowledge
7 of what occurred in this case. Right?

8 A. No.

9 Q. All right. Other than your attorney, did
10 you speak to anyone to prepare for the deposition
11 today?

12 A. I did not.

13 Q. And have you ever had a deposition taken
14 before?

15 A. No, I have not.

16 Q. Have you ever attended a deposition
17 before, even remotely?

18 A. No. The closest is I've watched the
19 recordings of some of the depositions with the
20 police in this case.

21 Q. Which recordings did you watch?

22 A. I'm not sure. I don't remember the names
23 of the officers.

24 Q. Did you -- do you know whether you watched
25 the recorded deposition of Sergeant Solesbee?

1 A. I did.

2 Q. Did you watch the recorded deposition of
3 any other officers?

4 A. Yes. I don't remember their names off the
5 top of my head.

6 Q. Can you describe what they looked like
7 from memory?

8 A. One of them was bald. That's really all
9 I've got to go on there.

10 Q. All right. Have you had any prior legal
11 names?

12 A. No.

13 Q. And what's your date of birth and place of
14 birth?

15 A. July 5th, 1995, in Big Rapids, Michigan.

16 Q. In sort of a very general sense, can you
17 describe for me all your places of residence, kind
18 of from where you grew up to now?

19 A. Okay. Well, I grew up, up until the age
20 of 8, in the state of Michigan in various different
21 towns and counties. We moved around a lot.

22 Then when I was 8 years old we moved to
23 Arkansas where we resided up until I was age 13,
24 primarily in Holiday Island, Arkansas.

25 Oh, I forgot. I also lived briefly, for

1 about a year, in Arizona when I was 5 before moving
2 back to Michigan. Then, like I said, we lived in
3 Arkansas until I was age 13.

4 Then we moved to Chicago, Illinois, where
5 we lived for I think a year. Yeah, a year. Then we
6 moved back to Michigan, and we resided there until I
7 was 16.

8 When I was 16 I left my parents' home,
9 moved back to Chicago, and lived with an aunt and
10 uncle for a few years. Then -- for about two years.
11 Right.

12 Then when I was 18 I moved to California.
13 That's where my parents had moved at that point, so
14 I moved to be near them.

15 Let's see. I lived in California for a
16 few years. Then I moved to Oregon about four years
17 ago, and I've lived in -- I've lived in Eugene for
18 three years now, just a little over three years.

19 Q. And currently where are you physically
20 located?

21 A. I'm in Ironwood, Michigan.

22 Q. And how long have you been there?

23 A. Two months.

24 Q. And when do you anticipate returning to
25 Oregon?

1 A. Probably in October or November.

2 Q. Of this year?

3 A. Yeah.

4 Q. And do you still reside -- will you still
5 reside at the Campbell Club?

6 A. Yes, I will.

7 Q. So the Campbell Club, is it correct to
8 characterize this -- is it a collective living space
9 or how -- how would we characterize it?

10 A. It's cooperative housing. So all of us
11 who live in the Campbell Club, we sign membership
12 contracts. And then we have equal rights and
13 responsibilities in the cooperative in
14 decision-making, how to use the money we bring in
15 from membership fees, things like that.

16 Q. And is it -- are there -- are there
17 officers or is there -- is there a -- directors?
18 What's the --

19 A. Yes. There are officers that serve on the
20 board of directors and hold positions within the
21 organization such as president, vice president,
22 treasurer. As it happens, I'm the corporate
23 treasurer of the Students Cooperative Association,
24 which is the organization that owns the Campbell
25 Club and two other houses.

1 Q. And how long have you had that position?

2 A. For nearly a year. I was elected last
3 fall in September.

4 Q. And in the Campbell Club, what are --
5 approximately how many members live there?

6 A. 20.

7 Q. And are there individual rooms for each
8 person?

9 A. Yes, there are.

10 Q. And for, say, since -- well, we'll say,
11 you know, May 29th of 2020, to the present, has the
12 membership of the Campbell Club changed?

13 A. Yes. There have been multiple members
14 that have moved out, and multiple new members have
15 moved in from that time.

16 Q. Are there -- are there records I could
17 look at that would indicate who was a member on
18 May 29th, 2020?

19 A. Yes, there are.

20 Q. What record is that?

21 A. We keep records of all of our membership.
22 So I guess the easiest way to get those would be to
23 contact our office. But yes, there's records of all
24 the new people moving in. We keep records of when
25 people move out. Yes.

1 Q. Are there records kept of your -- the
2 governing body, of those meetings, like minutes?

3 A. Yes, there are.

4 Q. And do those still exist to your
5 knowledge?

6 A. Yes.

7 Q. How --

8 A. Yeah.

9 Q. How frequently does the governing body
10 meet?

11 A. The board of directors meets every two
12 weeks.

13 Q. And describe for me your educational
14 history.

15 A. Okay. Well, I dropped out of high school
16 in my senior year. That was 2013. Then about three
17 years ago I went back to get my GED. Got my GED,
18 and then I started attending Lane Community College
19 where I'm still currently enrolled but taking a
20 break because of Covid.

21 Q. And what -- do you have -- I don't know if
22 it's an announced major or direction of focus?

23 A. I do. My declared major is currently
24 nutritional science.

25 Q. Do you have any other professional

1 licenses?

2 A. No, I do not.

3 Q. Describe for me your criminal history, if
4 any.

5 A. I don't have any criminal history.

6 Q. And describe for me in general what your
7 employment history has been.

8 A. Oh, okay. Well, I did some fast food jobs
9 when I was a teenager. Worked for a year in a
10 frozen custard shop when I was 17.

11 When I was 18, I did street canvassing for
12 Green Peace International off and on for a couple of
13 years.

14 I did farm work, like chickens and ducks
15 and gardening, for a few years after that. Then I
16 went and did some more restaurant work in some more
17 high-class restaurants, most recently an Italian
18 restaurant in Eugene called Mazzi's.

19 I did work at a call center for a little
20 while briefly after moving to Eugene. I mean very
21 soon after moving to Eugene. It was Venture Data.

22 I think that about sums it up.

23 Q. Are you working currently?

24 A. No, I'm not.

25 Q. Other than this case, have you ever been a

1 plaintiff in any other lawsuit?

2 A. No, I have not.

3 Q. Have you ever been a defendant in any
4 other lawsuit?

5 A. No, I have not. When I was 16, I was the
6 defendant in a lawsuit, which is now no longer on my
7 record because I was a minor.

8 Q. Was that a civil matter or a criminal
9 matter?

10 A. I'm not too sure about how the
11 classifications work.

12 Q. Would you describe --

13 A. I was --

14 Q. Sorry.

15 A. Sorry. Go on.

16 Q. Would you describe for me your
17 understanding of what that case was about?

18 A. Yes. I was alleged to have broken into a
19 car.

20 Q. In this case, when did you first decide to
21 sue?

22 A. Immediately after the events took place.
23 At least the day after. I would say even, like, the
24 day that it happened the thought occurred to me that
25 I should pursue something legal -- or that I wanted

1 to. And so I reached out to CLDC within days of May
2 31st. I want to say within the next couple of days
3 I reached out to them.

4 Q. Okay.

5 A. Yeah.

6 Q. What is your current phone number?

7 A. That would be 541-619-4004.

8 Q. And in the last two years, have you had
9 any other phone numbers?

10 A. No, I have not.

11 Q. And who is your cell phone provider?

12 A. I believe it's Verizon.

13 Q. Was that the case in May of last year?

14 A. Yes.

15 Q. What brand and model is your current cell
16 phone?

17 A. It's an iPhone 5, I believe.

18 Q. And is that the same phone that you had in
19 May of 2020?

20 A. Yes, it is.

21 Q. Without telling me what your attorneys
22 have talked to you about, have you searched that
23 phone to determine if you have responsive documents
24 on it for this case?

25 A. I did. And what I found I shared with

1 Marianne, who in turn shared it with the court.

2 Q. Now, I presume -- and correct me if I'm
3 wrong -- that you utilize the text -- the SMS text
4 function on that phone. Is that correct?

5 A. Yes. If that is, like, just the regular
6 texting app that comes with it, yes.

7 Q. What -- other than calling somebody and
8 the texting app, what other applications do you use
9 to communicate with others?

10 A. I use Signal, and I use Facebook
11 Messenger. And I use the Gmail application. I
12 believe that's it.

13 Q. Do you have, like, a Twitter handle that
14 you use?

15 A. Yes, I have one, but I very rarely use it.
16 And I don't believe that I've used it in the past
17 two years. If I have, I certainly haven't used it
18 to communicate about this case.

19 Q. How about, do you have an Instagram
20 profile?

21 A. Yes, I do. But similarly to the Twitter
22 one, I never use it and would not have used it to
23 communicate about this case.

24 Q. And you indicated that you do utilize
25 Facebook Messenger. Correct?

1 A. That's right.

2 Q. Have you ever utilized Facebook Messenger
3 to communicate about this case or the events of
4 May 31st, 2020?

5 A. I'm not too sure off the top of my head.
6 I think so. I know that we shared some documents
7 with the court that were from Facebook, and I don't
8 recall if any of them were from Facebook Messenger
9 or if they were all just status updates.

10 So to my knowledge, everything that I have
11 communicated about this case on Facebook has been
12 shared with the court already.

13 Q. And we'll go through those documents.
14 What I -- what I have with those are -- appear to be
15 public-facing posts. And you understand the
16 difference between a post like that and a message
17 through Facebook Messenger. Right?

18 A. Yes, I do.

19 Q. Have you searched Facebook Messenger to
20 determine whether you have any responsive
21 communications?

22 A. I have.

23 Q. And did you find any?

24 A. I'm not sure. I don't remember.

25 Q. Have you ever deleted any communications

1 that were on Facebook Messenger?

2 A. No, I have not.

3 Q. Now, did you utilize the text messaging
4 function of your phone to communicate with anyone
5 about the events of May 31st, 2020?

6 A. I'm not sure.

7 Q. And do you still have all the text
8 messages that you sent or received on May 31st,
9 2020, or June 1st, 2020?

10 A. I haven't deleted any of them. So if
11 there's any relevant communication, they would still
12 be there.

13 Q. Have you searched those text messages to
14 determine if you have relevant communications?

15 A. Yes.

16 Q. And you turned those over to your
17 attorneys if they exist?

18 A. If I -- if I found them. Honestly, I have
19 a lot of text messages. And so I did go through and
20 look for things, but it is possible that I could
21 have missed something. But --

22 Q. What --

23 A. Go ahead.

24 Q. What search terms did you use?

25 A. I didn't use any search terms. I went

1 back and I reread through the messages. So if I
2 missed something, that would be why, because I was
3 re-reading hundreds, if not thousands, of messages
4 from the past two years.

5 Q. Did you yourself take any pictures on
6 May 31st, 2020?

7 A. No, I did not.

8 Q. Did you yourself record any video on
9 May 31st, 2020?

10 A. I did not.

11 Q. And we'll go through some of the records
12 here in a minute, but there were photographs that
13 were produced that I believe depict property damage
14 at the Campbell Club. Does that sound about sound
15 right?

16 A. Yes.

17 Q. Are those photographs -- we'll go through
18 them, but are those photographs you took or somebody
19 else took?

20 A. Somebody else. One of my housemates took
21 those photos.

22 Q. And so do you have any relevant
23 photographs or video on your phone?

24 A. I do not.

25 (Deposition Exhibit Number 1

1 marked for identification.)

2 BY MR. MILLER:

3 Q. So at this time I'd like to go through
4 your -- it's called Plaintiff Raneshbottom's Response
5 to Interrogatories. Do you have that in front of
6 you or available?

7 A. Not in front of me. I think Marianne sent
8 it to me, so I can pull up the browser and pull it
9 up.

10 Q. Okay. If you don't mind. Thank you.

11 A. Uh-huh.

12 THE WITNESS: Marianne, is that the
13 document that you most recently sent me?

14 MS. DUGAN: I -- let's see. I sent
15 you -- the one I most recently sent you was the PDF
16 with all the documents and photos. Then yesterday
17 -- or no, last week, maybe, I sent you three
18 responses to discovery, two of which are responses
19 to interrogatories.

20 Do you need me to send you that again?

21 THE WITNESS: Maybe. I'm looking for
22 it, but maybe that would make it faster.

23 MS. DUGAN: Okay. Let me -- hold on.
24 I sent it yesterday, Kirtis, yesterday morning, but
25 I'll send it again.

1 THE WITNESS: Okay.

2 MS. DUGAN: Have you got it?

3 THE WITNESS: Hasn't popped up yet.

4 MS. DUGAN: Let me send you a link and
5 you can look at it online. That might be easier
6 than downloading it.

7 THE WITNESS: Okay. It popped up.

8 MS. DUGAN: Oh, you got it?

9 THE WITNESS: Yep.

10 A. Let's see. Did you say it's Response to
11 Interrogatories?

12 BY MR. MILLER:

13 Q. Yes. The one I'm going to talk to you
14 about is a two-page document, and on the second page
15 it's dated, at the bottom, March 17th of 2021.

16 A. Okay. I've got it in front of me.

17 Q. All right. So we've marked that as
18 Exhibit 1 here in the deposition. And you have this
19 two-page Response to Interrogatories in front of you
20 now. Correct?

21 A. Right.

22 Q. I'm ordinarily used to seeing a plaintiff
23 sign under oath that the answers to an interrogatory
24 like this are true and correct, but if we turn to
25 the second page, your signature is not -- is not on

1 there. And so what I'll need you to do is review
2 the interrogatories and the responses just to
3 yourself, and then let me know when you're done and
4 I'll ask you whether they are true and correct.

5 A. Okay. Okay. I'm done reading.

6 Q. Is Exhibit 1 -- are your responses in
7 Exhibit 1 still true and correct?

8 A. Yes. There is one thing that I'm a little
9 confused about. Actually, if I could have a moment
10 to speak just only with Marianne, I would appreciate
11 that.

12 Q. Sure.

13 THE WITNESS: Marianne, do you want to
14 call?

15 MS. DUGAN: Yeah. Let's -- Kirtis,
16 you mute and I'll mute. And then we'll get off
17 screen for a second, and I'll call your cell.

18 VIDEO TECHNICIAN: Off the record.
19 The time is 10:31 a.m.

20 (Brief recess.)

21 VIDEO TECHNICIAN: We are on the
22 record. The time is 10:32 a.m.

23 BY MR. MILLER: ^

24 Q. Okay. You've had a chance to meet with
25 your attorney. Do you need to supplement your last

1 answer at all?

2 A. I'm sorry. I forgot to unmute. Could you
3 repeat what you just said?

4 Q. Sure. You've had a chance to meet with
5 your attorney. Do you need to supplement your last
6 answer at all?

7 A. Yes. Just one inconsistency I wanted to
8 point out. In the final response where it says
9 plaintiff seeks only garden variety emotional
10 distress damages stemming from being falsely
11 arrested, that was a mistake. I was never actually
12 arrested.

13 And then I also wanted to disclose that I
14 am seeing a psychiatrist for ADHD, but that it has
15 no bearing and doesn't affect this case at all.

16 Q. And so I'm looking -- these are -- what
17 you referenced were answers to interrogatory
18 number 5. Correct?

19 A. Yes.

20 Q. And while you are seeing a psychiatrist
21 for ADHD, it's -- it's not something that was
22 exacerbated or caused by this case. Is that
23 correct?

24 A. That's correct.

25 Q. Other than those things, is there anything

1 else that when you looked over it you thought we
2 needed -- you needed to supplement because you had
3 new information?

4 A. No.

5 Q. All right. So looking at the first page,
6 interrogatory number 2, I asked you about
7 noneconomic damages. Do you see that?

8 A. Yes.

9 Q. And I'm -- I'm not interested in sort of a
10 legal answer or anything you've discussed with your
11 attorneys. But just in your own words, can you
12 describe for me what it is that you are seeking
13 noneconomic damages for?

14 A. Well, my First Amendment constitutional
15 rights were violated on that day -- and not only
16 mine but the constitutional rights of many others
17 who were at those events. And so I'm seeking
18 justice because I don't think that people who hold
19 authority in society should be allowed to get away
20 with that kind of behavior.

21 So I'm not really interested in economic
22 compensation, financial compensation, or anything
23 like that. I just want to make sure that -- that
24 there can be a future in this society where people
25 in authority don't abuse their power in that way.

1 Q. Any other types of noneconomic damages
2 that you are seeking in this lawsuit?

3 A. I'm not sure I quite understand the
4 question.

5 Q. Sure.

6 A. Can you rephrase?

7 Q. Sure. I'm used to seeing lawsuits where
8 somebody is seeking damages for things like
9 emotional distress, pain and suffering, those types
10 of things. Are those categories that you are
11 seeking to be compensated for?

12 A. No.

13 Q. And if we can turn to the second page,
14 interrogatory number 4, and do you see the
15 responses, the three categories of individuals that
16 are listed there?

17 A. Yes.

18 Q. So Damon Cochran-Salinas I will depose
19 later today, so we'll find out his information.

20 Campbell Club and its residents. You
21 indicated, I think, earlier that I could determine
22 who was a resident of the Campbell Club by at least
23 seeking records. And there are records that exist,
24 to your knowledge, that would show who was a
25 resident of the Campbell Club on May 31st, 2020?

1 A. Yes. That's correct.

2 Q. And to your knowledge, were there
3 individuals who were, I guess, guests or visitors to
4 the Campbell Club that were there on May 31st, 2020,
5 that weren't residents?

6 A. No.

7 Q. I should clarify for the record. So
8 that's no, you are not aware of anybody else?

9 A. Right. Yeah. To my knowledge, there were
10 no visitors or guests that day. Only people who
11 lived there and Eric, who is mentioned in the next
12 line.

13 Q. And so Eric, who is mentioned in the next
14 line, is this the individual who was ultimately
15 pounding on the door to be let in when he was -- I
16 think after he had been shot with a 40 millimeter?

17 A. Yes.

18 Q. And do you know Eric's last name?

19 A. No, not off the top of my head.

20 Q. Do you have contact information for Eric?

21 A. I do not.

22 Q. And so if -- you know, you're not Facebook
23 friends, for example?

24 A. No. No, we're not.

25 Q. And if you -- do you know -- sorry. Do

1 you know where Eric lives?

2 A. No, I do not.

3 Q. Do you have any mutual friends?

4 A. Yes, I do.

5 Q. And who is that?

6 A. Several. Damon is one of them. Another
7 housemate of ours, Jasmine Wood, is a mutual friend.
8 I believe that several other people that I live with
9 at the Campbell Club are friends with Eric, but off
10 the top of my head, I couldn't tell you who they
11 are.

12 Q. So if you were -- if you needed to contact
13 Eric, would you speak to Damon to get his contact
14 information?

15 A. Yes.

16 Q. Is there another way that you would go
17 about trying to identify him and contact him?

18 A. I might ask the other friend that I
19 mentioned, Jasmine.

20 Q. What information do you believe the
21 Campbell Club and its residents have about the
22 events of May 31st, 2020?

23 A. I believe that they would have witness
24 testimony to offer. Several of them were in --
25 like, around to hear the gunshots. There were --

1 you know, a lot of us were home and witnessed the
2 events that took place before the shots were fired
3 at the Campbell Club and ran downstairs to see what
4 was happening afterwards, after they heard the
5 shots.

6 Q. And from memory are you able to tell me
7 who you know was there to witness those events?

8 A. No. Besides Damon, I'm not really sure
9 exactly who was there at the time.

10 Q. Are you aware of any video that any
11 residents of the Campbell Club have that depicts the
12 events of May 31, 2020?

13 A. No. No video surveillance, that I'm aware
14 of, of that kind.

15 Q. I don't want to limit it to video
16 surveillance. For example, are you aware of any
17 residents that have cell phone video of anything
18 that occurred on May 31st, 2020?

19 A. No.

20 Q. And are you aware whether any residents of
21 the Campbell Club have photographs of events that
22 occurred on May 31st, 2020?

23 A. Not that I'm aware of.

24 Q. And this individual, Eric, are you aware
25 whether he has any photographs or video depicting

1 events on May 31st, 2020?

2 A. Not that I'm aware of.

3 Q. Are you aware whether he has any
4 photographs or video depicting any physical injuries
5 that he received on May 31st, 2020?

6 A. Not that I'm aware of.

7 Q. Other than the individuals we discussed in
8 interrogatory 4, is there anyone else -- besides the
9 plaintiffs and I suppose the defendants in this case
10 -- anybody else that you are aware of that has
11 personal knowledge about what occurred on May 31st,
12 2020, at and around the Campbell Club?

13 A. Our neighbors at the Lorax Manner, who are
14 also members of the Students Cooperative
15 Association. They also were nearby, and it's
16 possible that some of them witnessed what took
17 place.

18 Q. And is there any one individual from the
19 Lorax who you believe has personal information about
20 what occurred?

21 A. No, not that I'm aware of.

22 Q. Other than the Lorax, are there any other
23 neighbors you are aware of who have personal
24 information about what occurred on May 31, 2020, in
25 and around the Campbell Club?

1 A. No.

2 MR. MILLER: We'll go ahead and mark
3 this as 2.

4 (Deposition Exhibit Number 2
5 marked for identification.)

6 BY MR. MILLER:

7 Q. This is the other response to the -- it's
8 Ranesbottom's Response to City of Eugene's Second
9 Set of Interrogatories. Do you have that?

10 A. Is that a separate document?

11 Q. Yes.

12 A. Okay. One moment. Okay. I'm looking at
13 that now.

14 Q. All right. And if you turn to page 3 of
15 that document, is that your conformed signature from
16 August 16th of 2021?

17 A. Yes, it is.

18 Q. All right. And I know that your attorneys
19 objected to this for their reasons, but you had a
20 chance to look at this before you signed it -- well,
21 last month. Is that correct?

22 A. Yes.

23 Q. And between last month and now, is there
24 anything that we would need to supplement these
25 responses?

1 A. Give me a minute to read it over just to
2 make sure.

3 Q. Sure.

4 A. Okay. I gave it a brief read-over. Would
5 you mind rephrasing the question?

6 Q. Sure.

7 A. I want to make sure I answer it
8 accurately.

9 Q. Sure. The question is: Just after doing
10 a brief read-over, is there anything that you think
11 you need to supplement on your responses?

12 A. No. Thank you.

13 Q. So interrogatory number 6 on the first
14 page -- do you see that?

15 A. One moment. Yes, I see it.

16 Q. And you can read it to yourself, but it
17 talks about using curfews to prohibit and prevent
18 mass protests. Do you see that?

19 A. Yes.

20 Q. What events -- when a -- strike that.

21 So when you're making a claim that the
22 city uses curfews to prevent mass protests, what
23 events are you talking about?

24 A. I'm talking about the events of May 31st,
25 2020.

1 Q. Any other event?

2 A. No.

3 Q. All right. And do you personally know
4 what the City of Eugene does to train its police
5 employees?

6 A. No.

7 Q. Do you personally know what the City of
8 Eugene does to supervise its police employees?

9 A. No.

10 Q. If you'll turn to the next page,
11 interrogatory number 8, and if you would read the
12 interrogatory to yourself and let me know when
13 you're done.

14 A. Number 8 you say?

15 Q. Yes.

16 A. Okay.

17 Q. The reference here to the use of chemical
18 and impact munitions, is that for any events other
19 than May 31st, 2020?

20 A. No events that I'm aware of. None that I
21 attended.

22 Q. And if we look at 9 down below there, it
23 basically asks, you know, how the individual
24 defendants discriminated or retaliated against you
25 based upon speech, viewpoint, or association. Do

1 you see that?

2 A. Yes.

3 Q. And just in your own words, why do you
4 think Sergeant Solesbee discriminated or retaliated
5 against you based upon those considerations?

6 A. Well, it wasn't only Officer Solesbee, but
7 all of the police who were present at the protest,
8 specifically across the street from the library that
9 day, on May 31st.

10 It was a peaceful protest. There was no
11 violence happening. It was completely -- completely
12 legal. It took place before the curfew was enacted,
13 and nobody was acting outside of their
14 constitutional freedoms of speech and right to
15 assembly.

16 And the police who were present used
17 violence against us, everybody who was there at that
18 protest. They were shooting at people with the -- I
19 don't know what the actual classification of them
20 was. We were calling them rubber bullets, but I
21 think they were called foam bullets or something
22 like that.

23 But the point is nobody there was doing
24 anything illegal, and the police were hurting
25 people.

1 Q. And I understand your complaint about the
2 actions that they took. Did -- did any officer at
3 any point on May 31st, 2020, say something to you to
4 indicate that you were being targeted because of
5 your viewpoint?

6 A. No.

7 Q. Did any officer on May 31st, 2020, say
8 something to you to indicate you were being targeted
9 because of your association?

10 A. No officer on that day said anything to me
11 individually.

12 Q. All right. And so your belief that you
13 were retaliated against -- and others -- for their
14 speech activity has to do with use-of-force
15 decisions that officers made. Is that a fair
16 characterization?

17 A. Yes. That's correct.

18 Q. And specific to Sergeant Solesbee, do you
19 have any evidence that he was targeting you because
20 of your speech, viewpoint, or association?

21 A. Only -- only my testimony as somebody who
22 was there. That's the only evidence that I have in
23 that regard.

24 Q. And so that -- we'll get to that. But
25 that's going to be testimony about the actions that

1 he took. Correct?

2 A. Right.

3 Q. And we'll get to all that. But of the
4 actions that he took, why do you think they showed
5 he was retaliating against you personally?

6 A. I never believed that this was about me
7 personally. I never thought that I was being
8 targeted as an individual.

9 Q. Well, what about the actions that Sergeant
10 Solesbee took indicate that he was targeting
11 somebody because of -- somebody or a group because
12 of their speech?

13 A. Because nobody was doing anything illegal.
14 All that anybody there was doing was protesting
15 peacefully, legally. All anyone was doing was
16 speaking. So there was no other -- there's nothing
17 else that they could have been trying to stop.
18 There was no crime being committed.

19 MR. MILLER: We'll mark this as
20 Exhibit 3.

21 (Deposition Exhibit Number 3
22 marked for identification.)

23 BY MR. MILLER:

24 Q. This is a Response to Defendant City of
25 Eugene's First Request for Production to Plaintiff

1 Kirtis Ranesbottom. Do you have that document
2 available?

3 A. One moment. What is it called?

4 Q. Response to Defendant City of Eugene's
5 First Request for Production to you.

6 A. Okay. Got it.

7 Q. So turning to page -- it's 4, request for
8 production number 15, do you see that?

9 A. Yes.

10 Q. All right. Have you produced all
11 responsive documents at this point?

12 A. Yes.

13 Q. And other than privileged emails with your
14 attorney, do you have any other emails that discuss
15 the events of May 31st, 2020?

16 A. No, I don't believe I do.

17 Q. And, I mean, you said, "I don't believe
18 so." I've got to follow up on that. Have you
19 searched your email to determine if you have
20 responsive documents?

21 A. Yes.

22 Q. And you found that you didn't? Because
23 none have been produced to me, I'll represent.

24 A. Yeah, that's -- that's correct. I did
25 search my emails, and I didn't find anything

1 relevant to this case.

2 Q. What emails do you utilize?

3 A. I'm not sure I understand the question.

4 Q. Sure.

5 A. Could you rephrase?

6 Q. How many email addresses do you have?

7 A. I have four.

8 Q. What are they?

9 A. EarthCommunityOutreach@gmail.com;

10 K.Ranesbottom@gmail.com; KirtisRane@gmail.com; and

11 RanesbottomK@my.lanecc.edu.

12 Q. And have you searched all four of those
13 email addresses to determine whether you have any
14 responsive documents to this lawsuit?

15 A. Not all four of them, no. The reason
16 being that I knew I would not use my school email to
17 talk about anything relating to the case. And the
18 K.Ranesbottom email I hardly use for anything, so I
19 knew I wouldn't have used it to talk about the case.

20 Q. If you could down to request for
21 production number 21.

22 A. Okay.

23 Q. Do you see that?

24 A. Uh-huh.

25 Q. Is that a yes?

1 A. Yes, I see it.

2 Q. All right. So the question is: Do any
3 photographs or video of you taken between May 29th
4 and June 1st, 2020, exist?

5 A. I'm sorry. Could you repeat your
6 question?

7 Q. Yes. The question is: Do any photographs
8 or video of you that were taken between May 29th and
9 June 1st, 2020 -- do those photographs or video
10 exist?

11 A. Not that I'm aware of.

12 Q. All right. Are you aware, from any
13 source, any video or photographs of the police
14 actions that occurred -- let me go back. We'll kind
15 of break this up.

16 So as I understand your claims in this
17 case, they primarily relate to two different events.
18 One of them was downtown near the LTD bus station.
19 Is that correct?

20 A. Yes. That's correct.

21 Q. And the other principal event was at and
22 around the Campbell Club after 11:00 later that
23 night. Is that correct?

24 A. Yes. That's correct.

25 Q. All right. And for the first event at and

1 around the LTD bus station, are you aware of any
2 video or photographs that depict what occurred there
3 from any source?

4 A. No, I'm not sure -- I'm not aware of any.

5 Q. And for the second category, the events
6 that occurred at and around the Campbell Club after
7 11:00 on May 31st, 2020, are you aware of any
8 photographs or video that depict what occurred then
9 from any source?

10 A. No, except for the pictures that we took
11 afterwards that were shared with the court.

12 Q. Okay. So as an example, does -- do -- do
13 your building -- does your building have a security
14 camera?

15 A. No, it does not.

16 Q. Does it have a Ring doorbell?

17 A. No.

18 Q. Are you personally aware of any security
19 footage from other buildings in the area that may
20 have depicted the events of May 31st, 2020?

21 A. I'm not aware of any -- of any videos.
22 However, it is possible that the sorority next door
23 has captured some of it, although I doubt the videos
24 would still exist. I know that our office reached
25 out to them and asked them for the surveillance

1 tapes but never got a response so . . .

2 Q. So I want to start with May 29th of 2020.
3 So that was the Friday of that weekend. Did you go
4 out to -- to the -- to protest on that night?

5 A. No, I did not.

6 Q. What did you generally do on May 29th,
7 2020?

8 A. I stayed at home and -- that I can
9 remember, I didn't do anything significant, really.
10 I probably watched TV or maybe played games.
11 Mundane everyday activities.

12 Q. And just as an example, did you watch any
13 live-streaming of other -- either protest or riot
14 activity occurring on May 29th, 2020?

15 A. It's possible that I did. However, I
16 don't remember.

17 Q. When do you think you first learned that
18 there had been some property destruction that
19 occurred on May 29th, 2020?

20 A. I know I was aware of it as it was
21 happening that night.

22 Q. And from what sources were you aware of
23 it?

24 A. I don't recall. However, I can say that
25 it was most likely Facebook that I was following my

1 friends' posts and news updates that were being
2 posted there.

3 Q. Who do you believe you were following?

4 A. It's really impossible to say. I wouldn't
5 recall that.

6 Q. Do you know anybody personally who was out
7 on May 29th, 2020, and was a witness to some of the
8 property destruction or riot activity?

9 A. No, nobody that I'm aware of.

10 Q. So the next day, May 30th of 2020, what
11 did you do that day, that Saturday?

12 A. Once again, I can't remember exactly where
13 I was that day, but I know that I didn't -- I didn't
14 leave home.

15 Q. And so, for example, did you travel down
16 to observe any damage that had occurred from the
17 prior night?

18 A. No, I did not.

19 Q. And on May 30th, 2020, did you ever become
20 aware that a curfew was being put in place?

21 A. No, I was not aware.

22 Q. So we'll break it down, but walk me
23 through generally what you did on May 31, 2020.
24 That's Sunday.

25 A. Okay. So I never planned on going to a

1 protest that day, so I began the day as I would any
2 other -- during Covid, anyway -- not doing much at
3 all. Probably watched some TV, played some video
4 games, social media.

5 And, let's see, it was somewhere between
6 7:00 and 8:00, I believe, that I got messages in our
7 Campbell Club group chat on Signal that there was
8 some violence happening downtown, specifically that
9 there were white nationalists that were targeting
10 people of color. And I knew that several people
11 that I knew -- well, one person, for the sake of
12 being accurate -- one person specifically who is a
13 person of color that I know and am friends with was
14 downtown.

15 So when I heard that people of color were
16 being targeted, I became alarmed for their safety.
17 And so myself and a group of my housemates drove
18 down to the protest just to be there and be with our
19 friends and make sure that, you know -- you know,
20 that if anything did happen that we could defend
21 them.

22 No violence of that nature did occur. But
23 we got to the park downtown -- can't even remember
24 the name of that park. The one that's just a few
25 blocks away from the library. I know that's not

1 very specific, but that's not really that relevant.

2 There was a group of protesters who were
3 leaving the larger protest. I think it was at Alton
4 Baker, and I think that one was kind of fizzling
5 out. But we met up with these -- this group of
6 protesters -- none of whom I knew. They were all
7 strangers to me. But they were talking about
8 continuing the protest and moving it down by the
9 library. And so we, like, followed them, me and my
10 group of housemates that I went there with.

11 We got down to across the street from the
12 library. This was, I believe, 8:00 -- not 8:00 but,
13 like, sometime between 8:00 and 9:00. And I was
14 there for between five and ten minutes when the
15 police announced on loud speakers or a megaphone,
16 whatever it's called, that there was going to be a
17 curfew, which to me was news. I didn't know about
18 any curfew prior to that.

19 And they told us that we had to move, it
20 was an unlawful assembly, that we couldn't protest
21 there. So myself and all of the rest of the
22 protesters started moving down the street, not
23 having made a decision about where to go next.
24 There was no organization to it, but everybody
25 started moving because the police were starting to,

1 like, block off the streets and block off that whole
2 section of streets there, that whole intersection.
3 And they looked pretty militant and angry.

4 So the protesters and I started moving
5 down the street, and that is when the police started
6 to shoot at us with the foam bullets and throwing
7 tear gas canisters.

8 So at that point I ran away. After
9 shielding myself from the foam bullets, I ran away
10 from the tear gas. At that point I was separated
11 from my friends, and so I walked around the block a
12 couple of times looking for them. Couldn't find
13 them. And I knew that the curfew was about to
14 start, so I went home.

15 I got home before the curfew started. I'm
16 not sure exactly what time, but I know that it was
17 -- it was before the curfew started. And I went to
18 my room, played some video games, and didn't come
19 downstairs again until I heard the shots fired in
20 front of our house.

21 So when I heard that, I ran downstairs to
22 see what was happening. And there was a bit of a
23 commotion. A lot of my other housemates were the
24 same as me, running downstairs looking scared and
25 confused. And Eric was in the house looking scared

1 and confused. And -- well that is about all that I
2 remember.

3 Q. Okay. Thank you for that. That's good.

4 A. You're welcome.

5 Q. So I'll kind of break down some of the
6 questions I have. We'll try to do it
7 chronologically as best I can.

8 You talked about a Signal group chat with
9 the Campbell Club. Do you remember that?

10 A. Yes.

11 Q. And this is something through the Signal
12 app that you have access to because you're on part
13 of a group chat. Is that correct?

14 A. That's right.

15 Q. And this message indicated that some
16 individuals of color may be targeted for violence
17 downtown essentially. Is that correct?

18 A. Yes.

19 Q. And that -- that's what spurred you and
20 others to then travel down there to act as advocates
21 or to help with the situation. Correct?

22 A. Correct.

23 Q. Do you know what time you received that
24 Signal message?

25 A. No. I believe it was sometime around 7:00

1 or 8:00. Sometime between.

2 Q. Does that message still exist?

3 A. I don't think so. It's possible, but I
4 believe that most messages on Signal are set to
5 disappear after a certain time. So quite a bit of
6 time has taken place; I don't think that those
7 messages would still exist.

8 Q. On the Campbell Club group chat on Signal,
9 has there ever been any communication about what
10 occurred on May 31st, 2020?

11 A. Not that I recall.

12 Q. So the -- according to your complaint, the
13 house was shot by -- by rubber bullets. Correct?

14 A. Right.

15 Q. And there was, you know, at least a friend
16 of theirs who took shelter within there. Correct?

17 A. Correct.

18 Q. And there was the use of PepperBall and
19 other gas outside of the house that evening.
20 Correct?

21 A. Correct.

22 Q. And despite all of those things, your
23 belief is there was never any communication on the
24 group chat about what occurred. Is that your
25 testimony?

1 A. No. I didn't say that. I said I don't
2 recall. So I'm sure that there was something said
3 on the group chat about it, but I don't remember
4 what that would have been. And since I believe
5 those messages are set to disappear after a certain
6 time, I don't think those would be available now.

7 Q. Have you checked to determine whether they
8 are available or not?

9 A. Yes.

10 Q. And were you able to find any messages?

11 A. No.

12 Q. No, you were not?

13 A. No, I was not able to find any messages.

14 Q. But in the several days preceding the
15 event when those communications would have occurred,
16 you had access to them. Correct?

17 A. Yes.

18 Q. And what steps, if any, did you take to
19 preserve them?

20 A. None.

21 Q. You indicated that you drove down to
22 around the downtown area. Do you remember who you
23 drove with?

24 A. Yes. I'm trying to remember. Do you need
25 their names? I'm trying to remember what their

1 actual full names are.

2 Q. The best you can.

3 A. Okay. Well, I know Damon was with us and
4 two friends of ours whose legal names I don't
5 recall. I know them only as Ash and Burtie
6 (phonetic).

7 Q. So it was four of you then?

8 A. Yes -- no, there were five of us. There
9 was also another individual who I know only as
10 Grazie (phonetic).

11 Q. And you said you went down and you parked,
12 it sounded like, near -- at a park somewhere, you
13 know, in the downtown area.

14 A. That's correct.

15 Q. And do you know approximately when you
16 would have arrived there and parked?

17 A. Around 8:00.

18 Q. And so from wherever that location is, you
19 then traveled to an area around the LTD bus station.
20 Do I have that correct?

21 A. Yes.

22 Q. Do you remember which street you were on?

23 A. No, I don't. I don't recall the names of
24 the streets.

25 Q. Can you tell me by referencing any of the

1 buildings, you know, approximately where you were
2 located in that area?

3 A. Yes. So on the opposite side of the
4 street from the LTD bus station and across the
5 corner from the library. Does that make sense?

6 Q. Yes.

7 A. Okay.

8 Q. So it sounds like -- I don't blame you if
9 you're bad at directions, but it sounds like you
10 were north of the LTD bus station. Is that correct?

11 A. I wouldn't be able to say for sure without
12 looking at a map.

13 Q. Sure. That's okay. There's a building on
14 the northeast corner of the intersection that I
15 believe that you're describing called the Atrium
16 Building. It's a City of Eugene building. Are you
17 familiar with that?

18 A. No.

19 Q. All right. And there's the -- at the
20 intersection I believe you're talking about, there's
21 the LTD station. Immediately to the west of it is
22 the library. Does that sound right?

23 A. Sounds right.

24 Q. And then north of the library is an LCC
25 building. Are you familiar with that?

1 A. No, but this is sounding right.

2 Q. And so if I have this right, you weren't
3 on the sidewalk in front of any of those three
4 buildings or structures. You were at the other one.

5 A. Yes.

6 Q. And do you remember which street you were
7 in front of? In other words, from the location that
8 you were, could you look directly at the LTD bus
9 station or were you able to look north towards
10 Skinner's Butte?

11 A. Yes. Facing across the street, I'm
12 looking right at -- I was looking right at the bus
13 station. And then looking to the right across the
14 street from that is the library.

15 Q. And on that block approximately there's --
16 there's the, you know, the intersection, the
17 sidewalk. There's a building. And then there's an
18 alleyway that comes out of that. Does that sound
19 familiar?

20 A. Yes.

21 Q. Just approximately where were you along
22 the sidewalk between where it intersects the street
23 and that alleyway?

24 A. I was right on the corner for most of it.
25 When they started shooting, I was closer to the

1 alley. We had started walking down the street
2 towards that alley. And I was maybe a yard or two
3 away from that alley.

4 Q. While you were in and around that
5 location, did you observe anyone at any time
6 standing in the road?

7 A. No. Nobody besides the police.

8 Q. While you were at that location, did you
9 observe anyone at any time throw anything at the
10 police?

11 A. No, I did not.

12 Q. While you were at that location, did you
13 observe anyone at any time run up and hammer a
14 police truck?

15 A. No. No, I did not.

16 Q. And while you were there, did you observe
17 anyone at any time jump on the back of a police
18 officer?

19 A. No, I did not.

20 Q. So you're at this location. The police
21 announce that a curfew is going to go into effect at
22 a later time. Is that correct?

23 A. Yes.

24 Q. Did they -- did they make any other
25 announcements?

1 A. They said that our protest was an unlawful
2 assembly and that we had to move.

3 Q. In response to that, did you move?

4 A. Yes.

5 Q. From where we described that location kind
6 of at the corner, what direction did you move?

7 A. Well, to my left. So down the street,
8 like, following parallel to the bus station if that
9 makes sense. I'm not sure exactly what direction
10 that is.

11 Q. So I think that you are describing going
12 east, but you would be heading over towards the
13 Downtown Athletic Club. Was that the direction that
14 you were headed?

15 A. Towards Willamette.

16 Q. And so you began to head towards
17 Willamette. And at some point while you're moving
18 -- at that point are you -- are you facing towards
19 Willamette?

20 A. Yes.

21 Q. And at some point it sounds like you
22 become aware that foam or -- bullets or tear gas is
23 being deployed. Is that correct?

24 A. Yes.

25 Q. All right. And were you personally hit by

1 any foam bullets?

2 A. No.

3 Q. And do you know -- when you became aware
4 that was happening, did you turn around to observe
5 what the officers were doing?

6 A. Yes.

7 Q. What did you observe at that point in
8 time?

9 A. I saw them firing at people with the foam
10 bullets at point-blank range and firing the tear gas
11 canisters at people -- not at the ground near them,
12 but actually at them at point-blank range.

13 Q. How many foam -- what you're calling foam
14 bullets, how many of those did you observe fired?

15 A. It's impossible to say. Very many of
16 them.

17 Q. Are you certain that those were foam
18 bullets as opposed to PepperBalls?

19 A. I'm not aware specifically what they were.
20 My understanding is they were using the pepper
21 pellets or pepper bullets as well as what we were at
22 that time calling rubber bullets.

23 I only recently learned from watching some
24 of the depositions for this case with the police
25 that they were not technically called rubber

1 bullets. That was something new to me that I
2 learned maybe a month -- a month or less ago when I
3 watched those depositions.

4 Q. And the tear gas that you observed
5 deployed at -- you said at -- at people. Is that
6 correct?

7 A. Yes.

8 Q. Were you one of those people it was
9 deployed at?

10 A. Yes. I turned around to -- so first --
11 when they first -- fired the first tear gas
12 canister, I ran with back to the corner, back the
13 way that I had come from. And then I turned around
14 to look at what was happening behind me, and an
15 officer fired a tear gas canister directly at me.
16 We actually made eye contact, and then he fired at
17 me.

18 Q. Where did the tear gas canister land?

19 A. At my feet. I jumped out of the way.

20 Q. Do you know who that officer was?

21 A. No.

22 Q. Do you have any reason to think that it's
23 any of the individual defendants in this case?

24 A. No. It's impossible to say. It was a
25 very chaotic moment. There were people running and

1 panicked in all directions. And the police were
2 firing at people so there was no way that I would be
3 able to approach and ask for a badge number or
4 anything like that. He was wearing a face mask and
5 sunglasses so --

6 Q. In response to the tear gas canister
7 landing at your feet, what did you do?

8 A. I ran away. And then I went back home.

9 Q. And so were you -- were you impacted by
10 the tear gas? In other words, did it deploy in time
11 such that you became overwhelmed by the gas?

12 A. No.

13 Q. Did you suffer any physical effects from
14 the gas?

15 A. No.

16 Q. So you went home. I know you were heading
17 in the direction of Willamette Street. Correct?

18 A. Correct.

19 Q. Do you know what route you took to then
20 get to the Campbell Club?

21 A. I took Willamette most of the way back
22 home and then turned right on Alder, which is the
23 street that the Campbell Club is on. I went
24 straight there.

25 Q. And you indicated that you went up to your

1 room. Correct?

2 A. Uh-huh. Correct.

3 Q. And if I were on the street facing the
4 Campbell Club, where is your room located?

5 A. It's on the second story and the furthest
6 window to the right facing the street, facing Alder.

7 Q. So you were there until you heard -- you
8 said it sounded like shots fired outside of the
9 Campbell Club. Is that correct?

10 A. That's right.

11 Q. And was that the first point that you knew
12 that there were police outside of the Campbell Club?

13 A. Yes.

14 Q. And how many shots did you hear fired?

15 A. Dozens. I would say about two dozen is
16 what it sounded like to me at the time anyway. It
17 sounded like automatic firing. It wasn't probably
18 that many. I'm going to say I don't remember,
19 because it was alarming and it was a while ago.

20 Q. And did you look out your window to
21 observe what was occurring?

22 A. I did.

23 Q. What did you see?

24 A. I saw that there were police parked in
25 front of the house with their sirens on. And then

1 that's when we went downstairs.

2 Q. So when you went downstairs, Eric was
3 already in the house. Correct?

4 A. Correct.

5 Q. Do you know who let him in?

6 A. Yes. Damon did.

7 Q. And did you speak to Eric about what
8 occurred to him?

9 A. I did.

10 Q. Tell me what that conversation entailed.

11 A. Okay. I asked what was happening, both to
12 Eric and to Damon -- mostly to Damon. And he
13 explained to me what had just occurred, that they
14 had shot at Eric and shot at him. And I remember
15 being alarmed for the safety of everybody in the
16 house and being skeptical about letting Eric in. I
17 know I said something to the effect of, "Your
18 presence here is endangering us," which I now feel a
19 little bit bad about. I just -- I was scared for
20 the safety of my housemates and myself.

21 So I said that his presence was
22 potentially endangering us. And he replied that he
23 was just trying to protect himself and that he was
24 hurt and that the police were shooting at him and he
25 didn't know what else to do, at which point I

1 realized he was right and there was nothing else we
2 should have done but let him in because he was in
3 danger.

4 That's about all we said to each other.

5 Q. What -- what occurred after that?

6 A. We -- "we" being my housemates and I --
7 sat around in the living room together for a while,
8 kind of watching out the windows. And all of us
9 were feeling pretty paranoid and on edge thinking
10 that the cops might, I don't know, come back and
11 mess with us, because their behavior seems totally
12 irrational and violent. So we kind of sat around
13 together in the living room, just keeping watch and
14 talking about what had occurred that day.

15 Q. Did any officers approach the front door
16 of the Campbell Club to your knowledge?

17 A. No.

18 Q. No, you don't know? Or no, none did?

19 A. No, none did.

20 Q. So after this encounter with Eric, the
21 police moved on. Is that correct?

22 A. Yes.

23 Q. And then --

24 A. They did sit in front of the house for
25 about five to ten minutes. Just sitting there, not

1 doing anything or saying anything.

2 Q. And so did you witness the officer who
3 fired at Sergeant Solesbee -- or, excuse me -- the
4 officer that fired at Eric, did you witness that?

5 A. No, I did not.

6 Q. And I want to -- you weren't arrested that
7 night. Correct?

8 A. Correct.

9 Q. Were you hit by anything?

10 A. No.

11 Q. For events at and around the Campbell
12 Club, knowing that officers were outside and seeing
13 them out there with I think you said sirens, did you
14 observe any officers do anything else to anyone
15 else?

16 A. At that point at the Campbell Club?

17 Q. Correct.

18 A. I saw that there were protesters -- other
19 protesters that were running away from them, and I
20 could see them driving after them. And I could hear
21 more gunfire further down the street. That's all.
22 These being protesters that I didn't know.

23 Q. And so to your knowledge, did you ever
24 speak with Sergeant Solesbee?

25 A. No, not to my knowledge. In fact I didn't

1 speak to any police officers individually that
2 night.

3 Q. Let's -- we'll walk through some of the
4 photographic exhibits. Do you have those?

5 A. Yes.

6 Q. All right.

7 MR. MILLER: I'm probably not going to
8 introduce these. I just want to go through them
9 with him.

10 BY MR. MILLER:

11 Q. All right. What I have in front of me is
12 a PDF that contains -- this one has 191 pages in it.
13 I'm only going to ask you about the beginning 40 or
14 so. Is that the PDF that you think you have in
15 front of you?

16 A. Yes, I believe so. The document that I'm
17 looking at has 40 pages. So you might be looking at
18 one that has more -- or it might just be the
19 configuration because of the browser I'm using or
20 something. I'm not sure.

21 Q. And if you look at the bottom right
22 corner, do you see where it says PLTFS and then
23 there's a number of zeroes followed by a number?

24 A. Yes.

25 Q. Does your first page start with a 1?

1 A. Yes.

2 Q. All right. So I want to start on what is
3 Plaintiffs' 18, which is the -- it's the 18th page
4 of the PDF. Can you go to that?

5 A. Yes. One moment. Okay.

6 Q. You may need to zoom in on this, but it
7 appears to be a Facebook posting by Kirtis Rane. Is
8 that what's on your page?

9 A. Yes.

10 Q. Is this a posting that you made?

11 A. It's a posting that I copied and pasted or
12 copied, pasted, and posted.

13 Q. And so the posting that's described in
14 here where it begins, "I thought Eugene" -- do you
15 see that?

16 A. Yes.

17 Q. And so the language that's below there, is
18 that -- whose language is that?

19 A. I'm not aware of whose language it is.

20 Q. But Plaintiffs' 18 does not describe what
21 you were subject to. Is that correct?

22 A. Let me read this over. It is correct this
23 is somebody else's wording, not a person who I know
24 personally, but somebody who experienced something
25 similar and on the same night.

1 Q. I'm sorry. I couldn't tell if you were
2 still reading or not.

3 A. Sorry. I thought you knew that I was
4 done.

5 Q. I apologize.

6 A. Did I need to clarify my answer at all?

7 Q. Well, only that Plaintiffs' 18 is a
8 copy-and-paste of somebody else's reported
9 experience; it's not your reported experience. Is
10 that correct?

11 A. Yes. That's correct.

12 Q. So we'll go to 21. And let me know when
13 you're there.

14 A. Okay.

15 Q. And this appears to depict the, I think,
16 two foam heads and two cylinders from a
17 40-millimeter device. Is that the photograph that
18 you have in front of you?

19 A. Yes.

20 Q. Did you take this photograph?

21 A. No, I did not.

22 Q. Do you know who did?

23 A. I'm not exactly sure, but I believe it was
24 my housemate Jasmine Wood.

25 Q. And just in your own words, what does this

1 photograph on 21 depict?

2 A. Casings from a foam bullet -- from several
3 foam bullets that were fired at the Campbell Club.

4 Q. And do you know where these were retrieved
5 from?

6 A. Yes. From our front porch and our yard.

7 Q. So it appears to depict two casings and
8 two -- we'll call them foam heads. Is that a fair
9 statement?

10 A. Yes.

11 Q. All right. Do you know who retrieved
12 these from in front of the Campbell Club?

13 A. I believe it was Jasmine Wood.

14 Q. Other than these two, are you aware
15 whether any other heads or casings were retrieved
16 from in front of the Campbell Club?

17 A. Not that I'm aware of.

18 Q. So we turn to 26.

19 A. After 20 the pages aren't numbered anymore
20 for me.

21 Q. Yeah. I think they are at the very bottom
22 in incredibly small type. I know that's hard for
23 both of us.

24 MS. DUGAN: Is it page number 26 of
25 the PDF though? The counter at the top, Kirtis

1 should show you.

2 A. Is it a picture of the window?

3 BY MR. MILLER:

4 Q. I believe so.

5 A. Oh, it does say in very small print down
6 there. Okay. I'm looking at 26.

7 Q. The question to you is: What does this
8 depict?

9 A. Let me look for a moment. It depicts a
10 window of the front -- at the front, looking into
11 the living room of the Campbell Club. And there is
12 a crack in it from being struck by some kind of
13 projectile from the police.

14 Q. And so in what I have there's one full
15 windowpane that's in the photograph. And it appears
16 a little above center and to the left there's a --
17 there's a crack in it. Is that what you have?

18 A. Yes. That's correct.

19 Q. And this is a window located on the
20 Campbell Club. Correct?

21 A. Yes.

22 Q. And do you know how that damage was
23 caused?

24 A. I believe that it was caused by a pepper
25 bullet.

1 Q. And did you tell -- did you witness that
2 damage being caused?

3 A. No. As I stated before, I was upstairs in
4 my room. However, I know that that crack wasn't
5 there prior to the night of May 31st.

6 Q. Do you know which officer may have been
7 responsible for that damage?

8 A. No, I'm not aware of -- of that.

9 Q. Is 27 a picture of that same window?

10 A. I don't believe so. Judging by the
11 reflections, it appears to be one of the other
12 windows.

13 Q. How many windows on the Campbell Club were
14 damaged on May 31st, 2020?

15 A. I can't say for sure. Not off the top of
16 my head.

17 Q. Was it more than one?

18 A. Yes.

19 Q. Plaintiffs' 28, what does that depict?

20 A. One moment here. 28. Okay. This is
21 another window of the Campbell Club. I'm not sure
22 why she photographed this window. I don't see any
23 cracks. Oh, I see. There's a -- in the top left
24 the pane has a crack in it.

25 Q. Plaintiffs' 32, if you could go to that.

1 A. 32?

2 Q. Yes.

3 A. Okay. I'm looking at it.

4 Q. What does that depict?

5 A. A window frame of one of those windows or
6 one of the front room windows. And it looks like
7 there's some powder residue at the bottom of the
8 frame. I'm not sure what that is.

9 Q. Do you know how it got there?

10 A. No, I'm not sure. I didn't take this
11 photo, so I'm not sure why it was taken.

12 Q. Plaintiffs' 33?

13 A. It's the next one? Okay. Yeah.

14 Q. Do you know what this photograph depicts?

15 A. Not exactly. I'm thinking there must be
16 something on the ground I'm supposed to be seeing,
17 but I -- oh, I see. There's a foam bullet on the
18 ground.

19 I believe this photo was taken to be
20 evidence that the foam bullets were fired at the
21 Campbell Club and not foam bullets that -- or
22 casings that we just found somewhere else off the
23 property.

24 Q. Do you know whose feet are depicted in
25 that photograph?

1 A. No. I have no idea.

2 Q. And is this at or near the front entrance
3 to the Campbell Club?

4 A. Yes. The door behind the person's feet,
5 that's the front door to the Campbell Club.

6 Q. Was that door damaged?

7 A. Yes, it was. One of the hinges was
8 damaged.

9 Q. Are there any photographs of that damage
10 to your knowledge?

11 A. I thought I saw one. Is it not in this
12 document? I remember somebody taking a picture of
13 that hinge. I don't recall who took that
14 photograph, and I don't know where it is now. But I
15 do remember that one was taken.

16 Q. We can jump ahead to 38.

17 A. Okay.

18 Q. The question is: What does 38 depict?

19 A. It depicts another of the Campbell Club's
20 windows. And it looks like there's a mark on the
21 window where it seems to have been struck by another
22 pepper bullet. And there's some more of that powder
23 residue around on the frame, which I believe is
24 residue from the pepper bullet.

25 Q. And the pepper bullet that ultimately

1 struck the house, do you know what the officer fired
2 it at?

3 A. I believe that he was firing at Damon and
4 at Eric.

5 Q. Who do you think has a picture of the
6 hinge of that door?

7 A. I don't know.

8 Q. Now, your complaint talks about some
9 events that occurred around the Whole Foods a little
10 before 11:00. Are you familiar with that aspect of
11 your lawsuit?

12 A. Yes. However, I was not present for the
13 events at the Whole Foods or by the Whole Foods.

14 Q. Okay.

15 A. At that point I had already walked home.

16 Q. So even if your complaint says that you
17 were there, your testimony is you weren't there at
18 or around the Whole Foods. Is that correct?

19 A. Yes.

20 Q. All right. Do you recall any other
21 details about May 31st, 2020, that we haven't spoken
22 about yet?

23 A. Let me think for a moment. No.

24 Q. Now, you said that it is the Student
25 Collective Association that owns the Campbell Club?

1 A. Students' Cooperative Association.

2 Q. And -- but you don't own that building.

3 Correct?

4 A. I own a share of it.

5 Q. How so?

6 A. Everybody -- all of us members of the
7 Students' Cooperative Association who sign the
8 membership contract own an equal share of the
9 organization.

10 Q. And you own an equal share of the
11 organization's assets?

12 A. Yeah. More or less. At least I have an
13 equal democratic say in how those assets are used.

14 Q. And what has the SCA done to subrogate any
15 claim it has to you?

16 A. Could you rephrase the question? I don't
17 understand.

18 Q. Sure. Has the Student Collective
19 Association voted to allow you to bring a claim for
20 damages?

21 A. No.

22 Q. Have they given you, through a document,
23 the ability to bring a claim on their behalf?

24 A. No.

25 Q. Were you personally responsible for any

1 repairs that needed to occur on that property?

2 A. No.

3 Q. I think we know -- I think I know the
4 answers to all of these, but I need to have them on
5 the record.

6 A. I understand.

7 Q. Were you struck with a baton?

8 A. No.

9 Q. Were you tased?

10 A. No.

11 Q. Were you yourself struck with a
12 PepperBall?

13 A. No.

14 Q. Were you yourself struck with a
15 less-lethal munition?

16 A. No.

17 Q. Did you yourself -- were you impacted --
18 physically impacted by tear gas?

19 A. No. At least I wasn't harmed by it. I
20 didn't get it in my face.

21 Q. Right. On May 30th, 2020, so that
22 Saturday, how did the curfew on that day impact you?

23 A. It caused me to have to leave a protest.
24 Yeah. I feel that it impeded my ability to practice
25 my right of free speech but -- well, yeah, that's my

1 answer.

2 Q. I want to be careful about the dates
3 because I know we've been talking about the 31st,
4 which was the Sunday. So what I'm interested in is
5 for May 30th, that Saturday, how did the curfews on
6 that day impact you?

7 A. Okay. Thank you for clarifying. No. The
8 curfew on that day did not impact me as I did not
9 leave the house.

10 Q. And your prior answer, did that describe
11 how the curfew on the 31st impacted you?

12 A. Yes.

13 Q. What do you ordinarily do between 11:00
14 and 6:00 on your average day?

15 A. 11:00 a.m. and 6:00 p.m.?

16 Q. 11:00 p.m. and 6:00 a.m.

17 A. Between watching television, playing video
18 games, and sleeping, I would say those are my usual
19 activities.

20 Q. And how many marches have you attended
21 between 11:00 p.m. and 6:00 a.m.?

22 A. In my life?

23 Q. Yes.

24 A. I don't know for sure, but I would -- I
25 think it's safe to guess between a dozen and two

1 dozen.

2 Q. Were any of those in Eugene?

3 A. No. The only other protests that I've
4 attended in Eugene have been during the day, before
5 11:00.

6 Q. After Eric got into the house, you
7 remained in the house for the rest of the night. Is
8 that correct?

9 A. That's correct.

10 Q. Had you intended to go back out?

11 A. No.

12 MR. MILLER: Let's take a break for a
13 minute so I can confer with my client, and I'll let
14 you know if we have other questions. Okay?

15 VIDEO TECHNICIAN: We're off the
16 record. The time is 11:53 a.m.

17 (Recess: 11:53 to 11:56 a.m.)

18 MR. MILLER: Those are all the
19 questions that I have for you.

20 If there is any other additional
21 discovery from you that ends up being produced, I'll
22 hold the deposition open to ask about those specific
23 documents or recording. But otherwise I don't have
24 any questions for you. Thank you for your time.

25 THE WITNESS: Thank you. Have a good

1 rest of your day.

2 MS. DUGAN: Bye.

3 THE WITNESS: Bye.

4 VIDEO TECHNICIAN: We are off the
5 record. The time is 11:56 a.m.


6 (The deposition was adjourned
7 at 11:46 a.m.)
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1 State of Oregon)
2 County of Lane) ss.
3

4 I, Eleanor G. Knapp, CSR-RPR, a Certified
5 Shorthand Reporter for the State of Oregon, certify
6 that the witness was sworn and the transcript is a
7 true record of the testimony given by the witness;
8 that at said time and place I reported all testimony
9 and other oral proceedings had in the foregoing
10 matter; that the foregoing transcript consisting of
11 75 pages contains a full, true, and correct
12 transcript of said proceedings reported by me to the
13 best of my ability on said date.

14 If any of the parties or the witness requested
15 review of the transcript at the time of the
16 proceedings, such correction pages are attached.

17 IN WITNESS WHEREOF, I have set my hand this 28th
18 day of September 2021, in the City of Eugene, County
19 of Lane, State of Oregon.
20

21 
22 Eleanor G. Knapp, CSR-RPR
23 CSR No. 93-0262
24 Expires: September 30, 2023
25